IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

DEANNA BERTHOLF, AS EXECUTRIX	§	
OF ESTATE OF PHILLIP BERTHOLF,	§	
DECEASED,	§	
	§	
Plaintiff,	§	
	§	CASE NO. 4:07cv525
v.	§	
	§	
FORT DEARBORN LIFE INSURANCE,	§	
COMPANY, PETE COTTTING, and	§	
BLUE CROSS BLUE SHIELD OF TEXAS,	§	
	§	
Defendants.	§	

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On January 11, 2008, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Plaintiff's Motion to Remand (Dkt. 6) be GRANTED.

The Court, having made a *de novo* review of the objections raised by Defendants, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of the Plaintiff are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

It is, therefore, **ORDERED** that Plaintiff's Motion to Remand (Dkt. 6) is **GRANTED** and this case is remanded to the 336th District Court of Grayson County, Texas for further proceedings.

IT IS SO ORDERED.

SIGNED this 7th day of February, 2008.

MICHAEL H. SCHNEIDER

UNITED STATES DISTRICT JUDGE

charl Schnide